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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

DOMINIC AGATEP,

Plaintiff,

v.

CITIBANK, N.A.,

Defendant.

Case No.: 5:17-cv-02936-HRL

**PLAINTIFF'S AMENDED NOTICE OF
VOLUNTARY DISMISSAL WITH
PREJUDICE OF DEFENDANT
CITIBANK, N.A. PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 41(a)(1)**

Judge: Hon. Howard R. Lloyd

PLEASE TAKE NOTICE that Plaintiff Dominic Agatep, pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby voluntarily dismisses defendant Citibank, N.A., with prejudice, as to all claims in this action.

Federal Rule of Civil Procedure 41(a)(1) provides, in relevant in part:

41(a) Voluntary Dismissal

(1) By the Plaintiff

a) Without a Court Order. Subject to Rules 23(3), 23.1(c), 23.2 and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(1) A notice of dismissal before the opposing party either serves an answer or a motion for summary judgment.

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2 Defendant Citibank, N.A. has neither answered Plaintiff's Complaint nor filed a motion
3 for summary judgment. Accordingly, the matter may be dismissed against it for all purposes
4 and without an Order of the Court.

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6 DATED: August 18, 2017

Sagaria Law, P.C.

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8 By: /s/ Elliot Gale
9 Elliot Gale
10 Attorney for Plaintiff Dominic Agatep
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